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18 POINT REYES SEASHORE RANCHERS ASSOCIATION

19 UNITED STATES DISTRICT COURT  
20 NORTHERN DISTRICT OF CALIFORNIA

21 RESOURCE RENEWAL INSTITUTE;  
22 CENTER FOR BIOLOGICAL DIVERSITY;  
23 and WESTERN WATERSHEDS PROJECT,

24 Plaintiffs,

25 v.

26 NATIONAL PARK SERVICE, a federal  
27 agency,

28 Defendant,

POINT REYES SEASHORE RANCHERS  
ASSOCIATION,

Proposed Defendant-  
Intervenor.

Case Number: 4:22-cv-00145-KAW

**DECLARATION OF TED MCISAAC**

1 I, Ted McIsaac, under threat of penalty of law and pursuant to 28 U.S.C. § 1746, do  
2 hereby declare as follows:

3 1. I make this declaration in support of proposed intervenors' Motion to Intervene in  
4 the above-referenced case. I am competent to testify about the matters set forth herein and am  
5 over 18 years of age.

6 2. I am a member of the Point Reyes Seashore Ranchers Association ("PRSRA")  
7 that seeks intervention in this case and I have personal interests at stake, and knowledge  
8 concerning, this litigation. I was born and raised and have personally resided within the  
9 boundaries of the Point Reyes National Seashore ("Seashore") for my entire life (with limited  
10 exception of three years, in 1970-1973). In that time, I have been engaged in my family's  
11 ranching business throughout my life and currently own and operate the McIsaac Ranch with my  
12 wife Rhea McIsaac and children. My family homesteaded the McIsaac Ranch in 1866 and the  
13 family has maintained and depended on the McIsaac Ranch for our livelihood and way of life  
14 ever since.

15 3. The McIsaac Ranch is located in the northern part of the Golden Gate National  
16 Recreation Area ("GGRNA"). As such, our ranch land is subject to National Park Service  
17 ("NPS") jurisdiction and subject to the General Management Plan Amendment and Record of  
18 Decision ("GMPA/ROD") for the Point Reyes National Seashore that is challenged by plaintiffs  
19 in this litigation.

20 4. Our family depends on our family ranching business as our primary source of  
21 income, livelihood, family tradition, and economic well-being. Without the ability to graze on  
22 the land, me and y family, and our family business, would be economically devastated and our  
23 soon-to-be fifth generation family business would cease to exist.

24 5. Historically, from the time of our homestead until around 1973, our ranch  
25 engaged in both dairying and cattle ranching. From around 1973 to present, McIsaac Ranch has  
26 been engaged exclusively in cattle ranching.

27 6. In 1983, and 97 years after my family homesteaded the McIsaac Ranch, our  
28 family sold the underlying land to the Federal government under fear of condemnation. When

1 the government acquired the lands that would become the Seashore, NPS initially granted us a  
2 25-year right of use and occupancy. Following the expiration of our retained right, NPS  
3 continued to lease McIsaac Ranch for agricultural and residential use by way of five-year special  
4 use permits (“SUPs”). More recently, NPS has authorized our grazing and residential use via  
5 annual letters of authorization, which reflect similar terms and conditions for grazing and  
6 residing on the Seashore as our initial retained rights. While NPS previously advised us that we  
7 could expect longer-term authorizations (20 years) in the near future, NPS has continued its  
8 practice of issuing short-term authorizations. Under those short-term leases, it was our  
9 understanding, based on conversations with NPS, that changes to the authorizations such as  
10 adding the names of our children who plan to succeed my wife and me, would not be considered  
11 until NPS finalized its prior (and never completed) Comprehensive Ranch Management Plan  
12 process that preceded the current GMPA/ROD process. NPS similarly agreed, in 2017, to issue  
13 only short-term leases as part of a settlement agreement reached in a related lawsuit, *Resource*  
14 *Renewal Institute, et al. v. National Park Serv.*, Case No. 4:16-cv-00688-SBA (N.D. Cal.), until  
15 the agency completed the recent GMPA/ROD process. This situation has caused and causes a  
16 tremendous amount of uncertainty about the existence and survivability of our family ranch.

17 7. Short-term annual authorizations paralyze our ability to make informed capital  
18 investment decisions (many of which would provide ecological benefits to the Seashore’s natural  
19 resources) or to engage in meaningful succession planning.

20 8. Our family is very proactive in our efforts of environmental stewardship and we  
21 care greatly about the land that supports, and has supported our business for almost 130 years. In  
22 the past 25 to 30 years, we have applied for grants through the Natural Resources Conservation  
23 Service (“NRCS”) for salmon restoration funds of approximately \$500,000. Projects have  
24 included creating riparian waterways, excluding cattle from all annual streams, fencing off  
25 sensitive habitats, developing springs, reseeding pastures, and reducing sediment to streams  
26 using erosion control. The short-term authorizations of residential and agricultural use hinder  
27 our continued ability to qualify for similar NRCS grants, which would be of a similar nature to  
28 those above and which would provide ecological benefits to the Seashore. Our family ranch has,

1 and continues to provide, ecological benefits by maintaining the native nature of the pastures,  
2 thereby cultivating and maintaining wildlife habitat and pastoral scenery – two of the significant  
3 attributes that lead to the establishment of the Seashore. In 2008, our family ranch received an  
4 award of recognition from the Marin Resource Conservation District for our projects for  
5 conserving and improving natural resources.

6 9. As described above, I am personally fully invested in the administration of the  
7 public lands of the Point Reyes National Seashore (including being a part of a family that has  
8 contributed to the quality and nature of the Seashore), and know (by way of various community  
9 meetings and personal conversations) that other similarly situated permittees within the  
10 agricultural community of the Seashore share my concerns about the uncertainty to the  
11 agricultural businesses, way of life, and homes, that this litigation presents.

12 10. Kevin Lunny and I founded the PRSRA approximately 20 years ago, and he and I  
13 continually served as the chair and co-chair from the association's inception until the Spring of  
14 2016. In 2004, PRSRA received the Marin Economic Commission's Award for Excellence in  
15 Agricultural Viability. I also served as associate director with the Marin Resource Conservation  
16 District for over 20 years. I currently sit on the Farm Service Agency county committee for  
17 Marin and Sonoma Counties.

18 I declare under penalty of perjury that the foregoing is true and correct to the best of my  
19 personal knowledge.

20 Dated: 3/24/22

21   
22 Ted McIsaac